

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

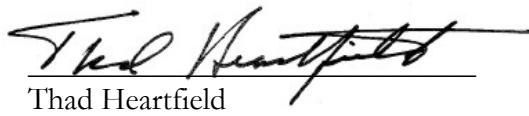
DEREK BRIGGS §
v. § CIVIL ACTION NO. 6:18cv158
LAURA DAVIS, ET AL. §

ORDER OF DISMISSAL

The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the court. It is accordingly

ORDERED that the Defendant Sgt. Dotson's motion for summary judgment (docket no. 30) is **GRANTED** and the above-styled civil action is **DISMISSED WITH PREJUDICE**. The Plaintiff's state law negligence claims are **DISMISSED WITHOUT PREJUDICE** to their refiling in state court, with the statute of limitations tolled for the period of time this case was pending and for 30 days thereafter. All motions not previously ruled on are **DENIED**.

SIGNED this the 4 day of September, 2019.


Thad Heartfield
United States District Judge